

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:05CV251-MU-1

KENNETH PATTON,)
)
Plaintiff,)
)
v.)
)
THOMAS LANCASTER, et al.,)
)
Defendants.)
)
_____)

ORDER

THIS MATTER comes before the Court upon Plaintiff's Motion for a Jury Trial (Doc. No. 19), filed July 21, 2006.

On July 5, 2005, Plaintiff filed a civil Complaint pursuant to 42 U.S.C. § 1983. On December 1, 2005, Plaintiff filed a motion requesting a jury trial. If a jury trial is required for a resolution of this case, this Court will, at that time, set this case for trial. At this time, however, Plaintiff's request is premature and is denied.

IT IS THEREFORE ORDERED THAT Plaintiff's Motion for a Jury Trial is **DENIED** **without prejudice.**

Signed: March 4, 2008



Graham C. Mullen
United States District Judge



